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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/547,673	04/12/2000	Atsushi Tomita	44084-449	5765

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EXAMINER	
PRIETO, BEATRIZ	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/547,673	TOMITA, ATSUSHI	
	Examiner	Art Unit	
	Prieto Beatriz	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09/03/04*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19,21 and 22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19 and 21-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. This communication is in response to amendment filed 09/08/04, claims 1-19, and 21-22 remain pending, and claim 20 was cancelled.

2. Amendment filed 09/03/04 has been considered. Specifically, added claim (e.g. claim) limitation reciting: "*and for transmitting a notice, which indicated the invalidity of the mail, to the management unit when the validity of the mail has expired*". Applicant has indicated that supportive disclosure is on page 20, lines 17-20 and Fig. 13 step S921. The interpretation to the terms "validity/invalidity" in the claims has been reviewed and determined in light of the specification (see MPEP 2111), particularly the cited portions noted by applicant. The terms "validity/invalidity" broadly speaking, relate to the comparison between a current date and time and a predetermined or set date and time, thereby a message or data is characterized as "valid" if set date and time is equal or greater than the current time or is "invalid" if set date and time is not equal/greater than the current time.

Claim Rejections - 35 USC § 103

3. Quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.

4. Claims 15-14, 11-13, 7-9, 4-5, 19-20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tarr, et. el. (Tarr) U.S. Patent No. 5,184,179 in view of RD 330036 Expiration Date as part of mail item for return to sender, Oct. 1991 (Anonymous), referred to RD hereafter.

Regarding claim 15, Tarr teaches substantial features of the invention as claimed, teaching

a management system (Figs. 3-4) that manages apparatuses (52 of Fig. 3) connected to a plurality of "apparatus management" devices, i.e. processor (16 of Fig. 1 or 60 of Fig. 3), by transmitting and receiving a information including "apparatus management" data between a "centralized management" device (103 of Fig. 4) and the apparatus management devices via a communication network, (Tarr: receiving/transmitting by control computer (16) see col 3/lines 54-58 and col 9/lines 58-col 10/line 4, transmitting over a local area network to central station see col 5/lines 8-13, data transfer in discrete bytes, i.e. packets see col 3/lines 59-60) wherein said centralized management system comprises:

communication network for sending out to the communication network a packet being addresses to a specified apparatus management device and taking in a packet from the communication network

addressed to itself (Tarr: sending out packets addressed to processor see col 3/lines 54-56 and 7/lines 20-26, sending to respective processor see col 9/lines 31-21, and taking in see col 7/lines 28-31, centralized station having a modem, i.e. for taking in see col 5/lines 40-43 and sending out see col 6/lines 27-38), wherein said apparatus management devices each comprises:

first communication means (20) for transmitting and receiving the apparatus management data to and from the apparatus (Tarr: receive/transmit to/from copier see col 7/lines 13-20);

second communication means (42) for sending out a packet addressed to said centralized management device through the communication network, and taking in a packet from the communication network addressed to itself (Tarr: sending out by transceiver 42 of processor (16) to central station see col 7/lines 28-38, taking in data addressed to itself, i.e. answering see col 5/lines 40-43);

clock means (30) for providing current time (Tarr: col 6/lines 43-46); and

permitting transmission of the apparatus management data to the apparatus connected to said apparatus management device on condition based on the current time obtained from an internal clock ("clock means for providing current time") (col 6/lines 39-68);

although Tarr permitting transmission of the apparatus management data to the apparatus connected to said apparatus management device based on said provided current time;

Tarr does not explicitly teach where said packets include expiration information (e.g. date and time) upon which validity of data is determined;

RD teaches a method related to transmission of mail items, including sending out a mail item including: an interface "time setting means" for setting expiration date and time in a mail item for transmission, analyzing means for determining when the mail item has expired performing a predetermined action based on the outcome of the determination including send a "notice" in the sender indicating the mail item is returned from the recipient due to expiration data/time. The disclosure allows users to send mail and have returned to them an indication when the mail contents has become past due, i.e. "expired", or the items content becomes sensitive due to future change (i.e. "future time related sensitive").

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the disclosure for triggering data transmission via the network on a time event basis including the transmission of status and billing information. From the teachings of RD it would be readily apparent to one ordinary skilled that the evaluation of an expiration date/time entails comparing the current date/time with a given expiration date/time, and determining if said date/time has or not expired, configuring a mail application to perform several actions upon said evaluation an execute said actions based on the outcome. One ordinary skilled would be motivated to apply RD's teachings to the Tarr

system for receiving an notice when the mail item containing status/billing information has not been further processed or the contents become past due, enabling the sender to take subsequent actions, for example retransmission of said data if before a billing cycle deadline and an alternate form of retransmission in response to said notice or discarding said data is received after said billing cycle. One ordinary skilled in the art would further be motivated to apply the teachings of RD to any intermediate point between sender and destination, e.g. a mail server or relay device with mail application processing capabilities inhibiting the transmission of when the mail contents has become past due, i.e. "expired", or the items content becomes sensitive due to future change (i.e. "future time related sensitive") improving bandwidth/resource utilization.

Regarding claims 14, this claim is substantially the same as claim 15, same rationale of rejection is applicable.

Regarding claims 4, 8-9 and 11-13, these claims are substantially the same as claims and/or as discussed on claims 14-15, same rationale of rejection is applicable.

Regarding claim 5, copy machine (Tarr: 52 of Fig. 3).

Regarding claim 7, data packet (Tarr: col 3/lines 59-60, Jarvis: col 1/lines 16-21).

Regarding claim 19, a control device for controlling an apparatus ("image forming apparatus"), the control device comprising

receiving a instruction or rule that triggers an action "command" from a management device via a communication network (Tarr: col 6/lines 27-28, col 5/lines 31-36 and col 3/line 47-49).

determining whether or not a "command" has expired (RD: page 1);

sending the command to the image forming apparatus for processing (execution) when the command has not expired (RD: page 1).

Regarding claim 20, sending information to the management device via the communication network when the command has expired (Tarr: col 6/lines 39-54).

Regarding claim 22, command to request an operation of the apparatus ("image forming apparatus") (Tarr: col 6/lines 27-28, col 5/lines 31-36 and col 3/line 47-49).

5. Claims 1-3, 6, 10, 16-18 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tarr in view of RD 330036 Expiration Date as part of mail item for return to sender, Oct. 1991 (Anonymous), referred to RD hereafter.

Regarding claim 1, Tarr teaches

receiving unit for receiving a data transmitted from a management device via a communication network (Tarr: col 3/lines 54-58, col 9/lines 58-col 10/line 4, transmitting over a local area network to central station see col 5/lines 8-13); however Tarr does not explicitly teach controlling an apparatus when the validity of a mail has expired by transmitting a notice to the sender of said mail an indication that the mail has expired, if determined so.

RD discloses a sending end ("management unit") for sending an mail item including a date and time, ("receiving end" for) receiving sent mail and ("analyzing unit" for) determining when the mail expires, the recipient's mail application will send a "notice" in the sender's in basket (i.e. controlling an apparatus) indicating the mail item is returned from the use due to expiration data/time. The disclosure allows users to send mail and have returned to them an indication when the mail contents has become past due, i.e. "expired", expire, run out, become invalid, elapse or obsolete, or the items content becomes sensitive due to future change (i.e. "future time related sensitive").

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the disclosure for triggering data transmission via the network on a time event basis including the transmission of billing information. Teachings of RD would enable one ordinary skilled to compose an email with a date/time information which upon evaluation, i.e. comparing the current date/time with the e-mail's date/time predetermined actions associated with the receiving and sending entities can be performed, based on the outcome of that comparison. One ordinary skilled would be motivated to receive an notice when the mail item has no been further processed or the contents become past due, enabling the sender to receive notice and take subsequent actions, for example retransmission before a billing cycle deadline and an alternate form of transmission in response to said notice.

Regarding claim 2, copy machine (Tarr: 52 of Fig. 3).

Regarding claim 3, data packet (Tarr: col 3/lines 59-60).

Regarding claims 6 and 10, network of computer "Internet" (Tarr: col 5/lines 5-10).

Regarding claim 16, this claim contains limitation substantially the same as those discussed on claims 15 and 1, therefore same rationale of rejection is applicable.

Regarding claim 17, the mail is a command to request an operation of the apparatus (Tarr: col 6/lines 27-28, col 5/lines 31-36 and col 3/line 47-49).

Regarding claim 18, not controlling the apparatus based on the received mail when the validity of the mail has expired because the mail is removed, i.e. discarded (RD: page 1).

Citation of Pertinent Art:

6. The following prior art made of record and not relied upon are considered pertinent to applicant's disclosure. Copies of NPL documents cited will be provided as set forth in MPEP § 707.05(a):

US 5,923,848 (06-1999)

Goodhand, et. al. Teaches transmitting an email items having a set of fields and a behavior associated with them including date and time fields, the email item fields allow a sender or recipient to identify required follow-up action and a deadline associated with the date and time fields; the fields upon being evaluate trigger the generation of reminders and past due notices. Analysis means for analyzing date/time associated with an email, these are carried out by the computer in response to instructions provided by the e-mail program including generation/display of a reminder at a predetermined period of time prior to the due date; or changing the display attributes of a message item in order to indicate that the due date is past. Those skilled in the art will appreciate that these functions are performed by comparing the due date data for each message to the current time, this comparison is performed at various, predetermined times, e.g. the comparison is made when a message is opened, at a predetermined time (e.g. midnight), and when a list view is redrawn, such as when a new message is received or the user opens a folder that contains messages.

US 5,918,040

Jarvis teaches time-stamping a data packet with the time that the interface transmits the data packet onto the communication network, then time stamping data transmitted data packet when the data packet is received by the addressed device, and then using this time information for discarding stale data received via the communication network, including sending out a time-stamped information. Said data

packets may have expiry time placed upon them, to ensure that "invalid" old data packets containing stale data may be eliminated (col 1/lines 16-21), i.e. expiration time setting means ("expiry time placed on the data packets") that is means determining when time-stamped information, i.e. data packets transferred over the network are staled or old based on the expiry time and the time-stamped information on the data packets and discarding data received over the network (col 2/lines 36-58).

7. Applicant's arguments with respect to claim 1-19 and 21-22 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Jack B. Harvey can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained fro the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see http://pair-direct.uspto.gov or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to the Central Fax Office:

(703) 872-9306, for Official communications and entry;
Or Telephone:
(703) 306-5631 for TC 2100 Customer Service Office.

B. Prieto
Patent Examiner
February 2, 2005

Patent Examiner